

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

JOE’S PLACE OF THE BRONX, NY, INC.,

Case No. 17-11542-mg

Debtor.

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**ORDER APPROVING DISCLOSURE STATEMENT, FIXING TIME FOR FILING
ACCEPTANCES OR REJECTIONS OF THE PLAN, FIXING TIME FOR HEARING
ON CONFIRMATION OF THE PLAN, AND GRANTING RELATED RELIEF**

This matter having been brought before the Court by Joe’s Place of the Bronx, Inc. (the “Debtor”), through counsel, Ortiz & Ortiz, L.L.P., and upon the filing of the Debtor’s Fifth Amended Plan of Reorganization dated February 14, 2020 (the “Plan”) and the Third Amended Disclosure Statement dated February 14, 2020 (the “Disclosure Statement”); and it appearing that due notice of the Debtor’s Motion to Approve the Adequacy of Information Contained in the Disclosure Statement (the “Motion”) having been provided to all creditors and parties in interest; and no objections having been filed to the Motion and the approval of the Disclosure Statement; and it having been determined by the Court after a hearing held on January 28, 2020, that with the proposed modifications to the Disclosure Statement and Plan, as modified, the Disclosure Statement contains adequate information as required by 11 U.S.C. § 1125; accordingly, it is hereby

ORDERED that the Third Amended Disclosure Statement dated February 14, 2020, is approved as containing adequate information within the meaning of section 1125 of the Bankruptcy Code; and it is further

ORDERED, that the Debtor is directed to transmit a copy of the Plan, the Disclosure Statement, an appropriate ballot conforming to the official form or Notification of the

Non-Voting Status, and a copy of this Order to all holders of claims not later than February 20, 2020; and it is further

ORDERED, that, pursuant to Bankruptcy Rule 9006(c), to be counted for voting purposes, all ballots of holders of claims in impaired classes must be completed and delivered to the Debtor's counsel Ortiz & Ortiz LLP, 32-72 Steinway Street, Ste. 402, Astoria, New York 11103, so as to be actually received no later than March 19, 2020 at 5:00 p.m. (the "Voting Deadline"); and it is further

ORDERED, that in addition to having to be received by the Voting Deadline as provided above, to be counted a ballot must be signed and indicate either an acceptance or a rejection of the Plan and otherwise must be completed as provided in the instructions accompanying the ballot; and it is further

ORDERED, that the following types of Ballots shall not be counted in determining whether the Plan has been accepted or rejected: (i) any Ballot received after the Voting Deadline unless the Debtors shall have granted, in writing, an extension of the Voting Deadline with respect to such Ballot, (ii) any Ballot that is illegible or contains insufficient information to permit the identification of the holder of the Claim, (iii) any Ballot cast by a person or entity that does not hold a Claim in a Class that is entitled to vote to accept or reject the Plan, (iv) any Ballot cast for a Claim identified in the Schedules as unliquidated, contingent, or disputed for which no proof of Claim was timely filed, and (v) any Ballot that is unsigned or without an original signature; and it is further

ORDERED, that March 19, 2020 is fixed as the last date by which written objections to the confirmation of the Plan must be filed with the Court and received by Ortiz & Ortiz LLP, 32-72 Steinway Street, Ste. 402, Astoria, New York 11103; and it is further

ORDERED, that the hearing on confirmation of the Debtor's Plan shall commence before the Honorable Martin Glenn on March 26, 2020 at 10:00 a.m., at the United States Bankruptcy Court, One Bowling Green, New York, New York 10004; and it is further

ORDERED, that the Debtor is authorized to make non-substantive and nonmaterial changes to the Disclosure Statement, the Plan, and related documents without further order of the Court, including, without limitation, changes to correct typographical and grammatical errors and to make conforming changes among such documents.

IT IS SO ORDERED.

Dated: February 18, 2020
New York, New York

/s/ Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge

EXHIBIT A

ORTIZ & ORTIZ, L.L.P.
32-72 Steinway Street
Astoria, New York 11103
Norma E. Ortiz
Maria Perez-Brown
Tel. (718) 522-1117
Fax (718) 596-1302
email@ortizandortiz.com
Attorneys for the Debtor

Hearing Date and Time:
March 26, 2020 at 10:00 a.m.

Deadline to:

1. Object to the Confirmation of the Plan: March 19, 2020
2. Deliver Completed Ballots: March 19, 2020

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SOUTHERN DISTRICT OF NEW YORK

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**NOTICE OF DEADLINES AND HEARING ON CONFIRMATION OF THE DEBTOR'S
PLAN OF REORGANIZATION**

PLEASE TAKE NOTICE, that on February 18, 2020, the Court entered the enclosed Order Approving the Debtor's Disclosure Statement, Fixing Time for Filing Acceptances or Rejections of the Plan, Fixing the Time for Filing Objections to the Confirmation of the Plan, and Setting a Hearing on Confirmation of the Plan (hereinafter, the "Order"); and

PLEASE TAKE FURTHER NOTICE THAT, as set forth in the Order, the last day for filing and serving written objections to confirmation of the Plan is **March 19, 2020**. Any such objection must be made in writing and shall state with particularity the grounds therefor, and shall be filed with the Clerk of the Bankruptcy Court by electronic means (with a copy to Chambers), and served upon and received by, Norma E. Ortiz, Esq., Ortiz & Ortiz, L.L.P., 32-72 Steinway Street, Ste. 402, Astoria, New York 11103, and the United States Trustee's Office, 201

Varick Street, Suite 1006, New York, New York 10014, so as to be actually received no later than the date set forth herein; and

PLEASE TAKE FURTHER NOTICE THAT, as set forth in the Order, the last day for delivering written acceptances or rejections of the Plan is **March 19, 2020**. Any such written acceptances or rejections must be delivered so as to be received by Norma E. Ortiz, Esq., Ortiz & Ortiz, L.L.P., 32-72 Steinway Street, Ste. 402, Astoria, New York 11103, no later than **5:00 p.m. on March 19, 2020**, and also must conform to the ballot enclosed; and

PLEASE TAKE FURTHER NOTICE THAT, as set forth in the Order, on **March 26, 2020, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, a hearing will be held for confirmation of the Plan before the Martin Glenn, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 11201.

Dated: _____, 2020
Astoria, New York

/s/Norma E. Ortiz
Norma E. Ortiz
Ortiz & Ortiz, L.L.P.
32-72 Steinway Street, Ste. 402
Astoria, New York 11103
Tel. (718) 522-1117
Debtor's Counsel